

FILED BY *egp* D.C.

05 AUG 10 PM 4: 21

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *Arg* D.C.

2005 AUG -8 PM 5: 07

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS  
**Plaintiff,**

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
W/D OF TN, MEMPHIS

vs.

Civil No. 04-2902-MI/P

**Thirty Nine Thousand Dollars (\$39,000.00)  
in United States Currency,**

**One 2002 Chevrolet Avalanche,  
VIN 3GNEK13T62G131404, with all  
Appurtenances and Attachments Thereon,**

**Defendants.**

MOTION GRANTED

*Jon Phipps McCalla*  
JON PHIPPS McCALLA  
U.S. DISTRICT JUDGE

*Aug 10, 2005*  
DATE

This document entered on the docket sheet in compliance  
with Rule 58 and/or 79(a) FRCP on *8-11-05*

UNOPPOSED MOTION TO EXTEND DEADLINE  
FOR FILING RESPONSE TO MOTION FOR  
SUMMARY JUDGMENT

Comes now the Defendants, Estate of Gary Don Nance, by and through his attorney,  
Timothy C. Naifeh and respectfully moves that this Honorable Court extend the deadline for  
filing a response to the dispositive motions in the above-styled case. In support of this motion,  
he would show as follows:

1. The deadline for filing potentially dispositive motions in the above-styled case is currently August 6, 2005.
2. Counsel for the government filed a Motion for Summary Judgment on the 23<sup>rd</sup> day of June, 2005 and counsel for the Defendant received the same shortly thereafter.
3. Co-Counsel, Tim Langford has been out of the office on vacation and will not return until August 4, 2005 and cannot assist in the review of the prepared draft

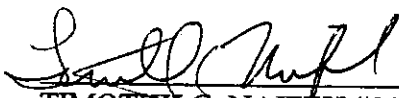
and therefore counsel is in need of additional time to complete the response.

4. Defense counsel spoke with the government's attorney and there is no opposition to extension of the deadline to August 30, 2005.

### CONCLUSION

For the foregoing reason, the defense counsel for the Estate of Gary Don Nance respectfully request that the deadline for filing an answer to the dispositive motion on behalf of the government be extended through August 30, 2005.

RESPECTIVELY SUBMITTED BY:



TIMOTHY C. NAIFEH #012735

Attorney for the Defendant

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### CERTIFICATE OF SERVICE

I, Timothy C. Naifeh, hereby certify that a true and exact copy of the foregoing Motion has been forwarded by U.S. mail to Chris Cotten, Assistant United States Attorney at 800 Federal Building, Memphis, TN 38103.



TIMOTHY C. NAIFEH



## Notice of Distribution

This notice confirms a copy of the document docketed as number 28 in case 2:04-CV-02902 was distributed by fax, mail, or direct printing on August 11, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT